GOVERNMENT OF INDIA
EXTERNAL AFFAIRS
LOK SABHA

STARRED QUESTION NO:161
ANSWERED ON:09.03.2016
Fraudulent Recruitment Agencies
Chandumajra Shri Prem Singh;De(Nag) Dr. (Smt.) Ratna

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether cases of torture/exploitation of Indians abroad, particularly in Middle-East countries have been reported and if so, the details thereof during the last 3 years, country- wise;

(b) whether the Government in consultation with the respective State Governments has taken remedial measures in the matter and if so, the details thereof;

(c) whether stringent action has been taken against fraudulent recruitment agencies for illegal placements abroad and if so, the details thereof along with guidelines/norms laid down by the Government in this regard;

(d) the steps taken to create awareness among workers regarding assistance available in times of distress; and

(e) the mechanism in place with Indian embassies/missions abroad for providing support and aid to Indians in such difficult situation?

Answer

THE MINISTER FOR EXTERNAL AFFAIRS
(SHRIMATI SUSHMA SWARAJ)

(a) to (e) A Statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (e) OF THE LOK SABHA STARRED QUESTION NO. 161 REGARDING "FRAUDULENT RECRUITMENT AGENCIES" FOR ANSWER ON 09.03.2016

(a) As per information made available to this Ministry by the Indian Missions / Posts in ten Middle East countries, including six GCC countries, there is no general pattern to indicate an increase in cases of torture/exploitation of Indian workers. Details of complaints received during the last three years are at Annexure I. Most of these complaints were addressed by the Indian Missions by taking them up with the concerned foreign authorities. Complaints pertaining to employment were taken up by the Indian Missions with the concerned foreign employer / Labour Department officials in that country.

(b) & (c) Government has been writing to all State Governments to take action against fraudulent and illegal recruitment agents, from time to time. Whenever a complaint is received against any unregistered recruiting agent, the complaint is forwarded to Secretary (Home) of the concerned State Government with a copy to DGP of the State and Superintendent of Police in that District to take immediate action against such unscrupulous agents under provisions of IPC and Emigration Act 1983. As law and order is a State subject, the local police are authorized to take action on its own, if a FIR is lodged by the complainant or his relative(s). Whenever prosecution sanction is required to be issued, on the basis of a request, such sanction is immediately granted. Details of last 3 years are at Annexure II.

(d) & (e) Government of India has signed MoUs with 6 Gulf countries, Jordan and Malaysia as per details given at Annexure III. The broad principles covered in the MoUs include:

(i) Declaration of mutual intent to enhance employment opportunities and for bilateral cooperation in protection and welfare of workers.
(ii) The host country to take measures for protection and welfare of the workers in organized sector.
(iii) Statement of the broad procedure that the foreign employer shall follow to recruit Indian workers.
(iv) The recruitment and terms of employment to be in conformity with the laws of both the countries.
(v) Constitution of Joint Working Groups which would meet regularly to find solutions to bilateral labour problems.

These MOUs are renewed/signed afresh, from time to time, during which process any modifications are duly considered for inclusion.

The Government of India has set up Indian Community Welfare Fund (ICWF) in all the Indian Missions / consulates abroad to meet contingency expenditure incurred by them for carrying out various welfare activities for overseas Indian citizens who are in distress. The objectives of the ICWF include:

(i) Boarding and lodging for distressed Overseas Indians in need;
(ii) Extending emergency medical care to the Overseas Indians in need;

(iii) Providing air passage to stranded Overseas Indians in need;
(iv) Providing initial legal assistance to the Overseas Indians in deserving cases;
(v) Expenditure on incidentals and for airlifting the mortal remains to India or local cremation/burial of the deceased Overseas Indians in such cases where the sponsor is unable or unwilling to do so as per the contract and the family is unable to meet the cost;
(vi) roviding for the payment of penalties in respect of Indian nationals for illegal stay in the host country, where, prima facie the worker is not at fault;
(vii) Providing the payment of small fines / penalties for the release of Indian nationals in jails/ detention centres;

Government of India have also started an on-line programme 'Madad' which includes a helpline for lodging the grievances of the emigrants, which are attended to on priority basis.

The Ministry has set up a 24X7 Helpline 'Overseas Workers Resource Centre (OWRC)' in Gurgaon, Haryana which provides information and guidance on all matters and problems pertaining to overseas employment of Indian nationals. Indian Workers Resource Centre (IWRC) set up in Dubai by Embassy of India, in UAE, provides guidance and counseling on all matters pertaining to overseas Indian workers in UAE.

Shelter homes for distressed Indian nationals; have been set up in Malaysia, UAE, Qatar, Kuwait, Bahrain, and Kingdom of Saudi Arabia. These shelter homes provide free boarding and lodging to overseas Indians in distress pending their repatriation.

Our Embassies in Gulf countries viz. UAE, Saudi Arabia, Kuwait, Bahrain, Oman and Qatar have an Open House on all working days providing direct access to workers to relevant Embassy officials to convey their grievances. Open Houses are also conducted with the presence of our Ambassadors on a regular basis in all these Missions. Other measures are also in place to enable Indian workers in Gulf countries to contact respective Indian Embassies in distress and emergency situations such as 24X7 helplines, toll-free helplines and mobile applications.